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11 Attorneys for Plaintiffs

12
13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 SHIGE TAKIGUCHI, FUMI NONAKA,
16 MITSUAKI TAKITA, TATSURO SAKAI,
17 SHIZUKO ISHIMORI, YUKO NAKAMURA,
18 HIDEHITO MIURA, YOSHIKO TAZAKI,
19 MASAAKI MORIYA, HATSUNE HATANO,
and HIDENAO TAKAMA, Individually and On
20 Behalf of All Others Similarity Situated,

21 Plaintiffs,

22 v.

23 MRI INTERNATIONAL, INC., EDWIN J.
24 FUJINAGA, JUNZO SUZUKI, PAUL
25 MUSASHI SUZUKI, LVT, INC., dba
26 STERLING ESCROW, and DOES 1-500,

27 Defendants.

Case No. 2:13-cv-01183-HDM-NJK

**ORDER GRANTING PLAINTIFFS'
MOTION FOR AN AWARD OF
ATTORNEYS' FEES IN
CONNECTION WITH THE
SETTLEMENT WITH ICAG, INC.**

1 WHEREAS, the Court granted final approval of the Settlement Agreement entered into by
2 Plaintiffs and: ICAG, Inc.; and

3 WHEREAS, Class Counsel petitioned the Court for an award of attorneys' fees in
4 compensation for the legal services they provided to Plaintiffs and the Class in connection with the
5 prosecution of this action to be paid out of the Settlement Fund; and

6 WHEREAS, the Court has reviewed the motion for an award of attorneys' fees, and has
7 heard from Class Counsel during the final approval hearing on May 22, 2018, and due
8 consideration having been had thereon,

9 NOW, THEREFORE, it is hereby ordered:

10 1. Class Counsel is awarded attorneys' fees of up to 25 percent of the settlement, or
11 \$367,633.33, as attorneys' fees in this action, as follows: i) \$66,250 shall be paid to Class
12 Counsel immediately from the \$265,000 cash payment by ICAG into the Settlement Fund; and ii)
13 the remaining award of \$301,383.33 shall be paid only if and when Class Counsel collects on the
14 accounts receivable owed by Premier Entertainment Services International, Inc., and the 15%
15 interest of HMC Service Center, LLC. Class Counsel shall only be awarded 25% of the actual
16 amount collected from the accounts receivable owed by Premier Entertainment Services
17 International, Inc., and the 15% interest of HMC Service Center, LLC.

18 4. In making this award of attorneys' fees and expenses to be paid from the
19 Settlement Fund, the Court considered and found that:

20 a. The settlement with the ICAG created a fund of approximately \$265,000 (and
21 potentially an additional \$1,205,533, if and when Class Counsel collects these amounts) and Class
22 Members who file timely and valid claims will benefit from the settlement reached by Class
23 Counsel;

24 b. Notice was disseminated to Class Members stating that Class Counsel would be
25 moving for attorneys' fees equal to 25% of the Settlement Fund;


26 c. The litigation of this action involved complex factual and legal issues and was
27 actively prosecuted since its filing, and absent settlement, this action would have continued to
28 involve complex factual and legal issues;

1 d. If Class Counsel had not achieved the settlement with ICAG, there was a risk of
2 either a smaller or no recovery;

3 e. The amount of attorneys' fees and expenses awarded from the settlement fund is
4 fair and reasonable.

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6 **IT IS SO ORDERED.**

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8 Date: _____ May 22, 2018


HONORABLE HOWARD D. MCKIBBEN

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